



NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL *NO name* with Washington Registration WN9037RH

In accordance with Chapter 79.100 RCW, the City of Bainbridge Island ("City") has declared the vessel *No name*, fiberglass Whaler, with Washington Registration # 9037RH or USCG # or unknown registration, ("Vessel") to be abandoned (). The Vessel is anchored in Port Madison's Hidden Cove.

The City, acting as an authorized public entity with the authority granted in RCW 79.100, intends to obtain custody of the Vessel on **November 9th, 2021, (Custody Date)**. After taking custody of the Vessel, the City may use or dispose of the Vessel without further notice to the owner.

In order to keep the Vessel, before the Custody Date, the owner must:

- Relocate vessel to authorized moorage and remove all ground tackle.

If the owner wants to reclaim the Vessel after the City has obtained custody, or wants to challenge City's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on the City at the addresses show in the boxes below:

Pollution Control Hearings Board (send one original and one copy)	
Physical address:	1111 Israel Road, Ste. 301 Tumwater, WA 98501
Mailing address:	PO Box 40903 Olympia, WA 98504-0903
Phone:	360-664-9160
City of Bainbridge Island 280 Madison Ave N Bainbridge Island, WA 98110 Attn: City Clerk's Office	

The appeal must include the following information:

- A copy of this notice or a copy of the notification letter, including any attachments, to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See http://www.eluho.wa.gov/Global/Reader?title=PCHB%20Appeal%20Process&path=Procedure_Appeal_PCHB or call the PCHB at the number above with appeal questions.

The owner may submit the appeal immediately, but the PCHB must receive it no later than **December 9th, 2021, (Appeal Date)**. **The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by the City in responding to the Vessel.**

These costs may include all administrative costs incurred by the City, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the Vessel. If there is a lawsuit, the successful party may receive reasonable attorneys' fees and costs.

The City also may pursue any other remedies available under law. For example, the City may take temporary possession of the Vessel under the circumstances described in the Revised Code of Washington (RCW) 79.100.040(3). You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>.

For more information, contact Tami Allen,, Harbormaster, at 206.786.7627 or tallen@bainbridgewa.gov.